

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04CV11023 RCL

LEON ROBINSON,  
Plaintiff

v.

THOMAS MENINO, PAUL F.  
EVANS, JAMES WYSE,  
MICHAEL PRIMM, JOHN A.  
MARTEL, WAYNE ROCK,  
GARRETT MITCHELL,  
CHARLES HARDY, AMERICAN  
BROADCASTING CO., INC.,  
HEARST-ARGYLE STATION  
INC., WCVB TV (Channel 5,  
Boston) DENNIS MCCARTHY  
AND JOHN DOE I,  
Defendants

**DEFENDANTS' SECOND MOTION**  
**TO EXTEND TIME TO FILE RESPONSIVE PLEADINGS**  
**PURSUANT TO FED.R.CIV.P. 6(B).**

NOW COME the Defendants, Paul Evans, the former Commissioner of the Boston Police Department, Sergeant Detective James Wyse, Detective Michael Primm, Detective John Martel, Detective Wayne Rock, Detective Garrett Mitchell and Officer James Hardy (collectively, "the Defendants"), and respectfully move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time to file a responsive pleading. As grounds for his motion, the Defendants state that:

1. With the Stay of proceedings in this matter having recently expired, the deadline for filing a Responsive Pleading is August 8, 2005;

2. To assist them in their drafting of their responsive pleadings, the Defendants have requested copies of the Plaintiff's criminal file, Suffolk Superior Court, CR2001-10384;
3. However, due to a high volume of copy requests and a reduced number of personnel, the Suffolk Superior Court Clerk's Office has informed undersigned counsel for the Defendants that her copy request will be delayed;
4. Undersigned counsel therefore requires additional time to draft and file Defendants' responsive pleadings;
5. The Defendants request a brief extension until August 12, 2005, to file responses to Plaintiff's Complaint; and,
6. Allowing this motion will not prejudice any party to the action and permitting the Defendants an extension to file responsive pleadings to Plaintiff's Complaint will further the interests of justice.

WHEREFORE, the Defendants respectfully request that this Honorable Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before August 12, 2005.

Respectfully submitted,

DEFENDANTS, PAUL F. EVANS,  
JAMES WYSE, MICHAEL PRIMM,  
JOHN A. MARTEL, WAYNE ROCK,  
GARRETT MITCHELL & CHARLES  
HARDY

Merita A. Hopkins  
Corporation Counsel  
By their attorney,

/s/ Helen G. Litsas  
Helen G. Litsas, BBO# 644848  
Assistant Corporation Counsel  
City of Boston Law Department  
Room 615, Boston City Hall  
Boston, Massachusetts 02201  
(617) 635-4023

**CERTIFICATE OF SERVICE**

I, Helen G. Litsas, hereby certify that on this date I served a copy of the foregoing documents upon: Leon Robinson (A-22594), Old Colony Correctional Center, Bridgewater, MA 02324, via first class mail, and all other parties via electronic filing.

8/5/05  
Date: \_\_\_\_\_

/s/ Helen G. Litsas  
Helen G. Litsas, Esq.